

Inventor(s):
Han F. van Rietschote

Title: Storage Management System

**CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. §1.10**

"Express Mail" mailing label number: EV 318248768 US
DATE OF DEPOSIT: April 9, 2004

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to:

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P.O. Box 1450
Alexandria, VA 22313-1450

Derrick Brown

UTILITY PATENT APPLICATION TRANSMITTAL

(For new non-provisional applications under 37 CFR § 1.53(b))

Continuing Application: <input checked="" type="checkbox"/> <u>Divisional</u>		of prior application No.: <u>10/140,614</u>	
Inventor(s) <u>Han F. van Rietschote</u>		Filed: <u>May 7, 2002</u>	
Title: <u>Storage Management System</u>		Examiner: <u>Ellis, Kevin L.</u> Group/Art Unit: <u>2188</u> Assignee: <u>Veritas Operating Corporation</u> Recorded at Reel <u>012892</u> , Frame <u>0087</u>	
Power of Attorney in Prior Application:		<u>Lawrence J. Merkel</u> <u>Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.</u> <u>P.O. Box 398</u> <u>Austin, Texas 78767-0398</u>	

Application Elements

1. ☒ Filing Fee

The filing fee is calculated as shown below.

Total Claims	22	-20=	2	x \$18.00=	\$36.00
Independent Claims	3	-3 =	0	x \$86.00=	0
Multiple Dependent Claims				Fee:	0
Basic Fee:					\$770.00
Sub-Total:					\$806.00
Reduction by 50% for Small Entity:					0
Assignment Fee					0
Total:					\$806.00

- ☒ The Commissioner is hereby authorized to charge the above fees, and any other fees which may be required, or credit any overpayment to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C., Deposit Account No. 501505/5760-01301/LJM.
2. ☒ Specification
22 page(s) of specification; 8 page(s) of claims, 1 page(s) of abstract
3. ☒ Drawings
Figure(s) 1-5 on 5 sheet(s)

17548 U.S. PTO
10/821559

040904

4. ☒ Oath or Declaration
☐ Newly executed
☒ Copy from a prior application (see 37 C.F.R. § 1.63(d))
Deletion of Inventor(s) (in continuation or divisional applications):
☐ Delete the following inventor(s) named in the prior non-provisional application:
☐ The inventor(s) to be deleted are set forth on a signed sheet attached hereto.
5. ☒ The entire disclosure of the prior application(s) referred to above is/are considered to be part of the accompanying application and is hereby incorporated by reference herein.
6. ☐ Microfiche Computer Program (Appendix)
7. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
☐ Computer Readable copy
☐ Paper Copy (identical to computer copy)
☐ Statement verifying identity of above copies
8. ☐ Assignment Papers
9. ☒ Notice of Recordation of Assignment from parent application evidencing assignment
10. Power of Attorney
☐ Is attached.
☒ The power of attorney appears in the original papers of the prior application.
☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.
11. ☒ Information Disclosure Statement (IDS)
☐ Copies of IDS Citations
☒ The Commissioner is hereby specifically requested to make the IDS(s), as well as any prior art of record in the prior application(s), of record in connection with this application.
12. Amendments
☒ A preliminary amendment is enclosed.
13. ☒ Return Receipt Postcard
14. Small Entity Status
☐ A small entity statement is enclosed.
☐ A small entity statement was filed in the prior non-provisional application and such status is still proper and desired.
☐ Is no longer claimed.
15. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. §§ 119(a)-(d)
16. ☐ Petition under 37 C.F.R. § 136 for Extension of Time
17. ☒ Request and Certification Under 35 U.S.C. 122(b)(2)(B)(i)
18. ☐ Other: _____

Address all future correspondence to:

Customer No. 35690
Lawrence J. Merkel
Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.
P.O. Box 398
Austin, Texas 78767
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Signature

Name

Registration No.

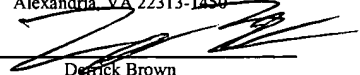
Date

Lawrence J. Merkel

41,191

April 9, 2004

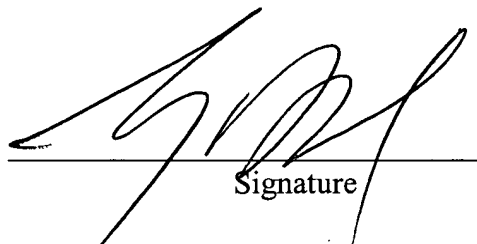
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<p align="center">CERTIFICATE OF EXPRESS MAIL UNDER 37 C.F.R. §1.10</p> <p>"Express Mail" mailing label number: EV 318248768 US DATE OF DEPOSIT: April 9, 2004</p> <p>I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to:</p> <p align="center">Commissioner for Patents Mailstop Patent Application P.O. Box 1450 Alexandria, VA 22313-1450</p> <p align="center"> Derrick Brown</p>	<p align="center">REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</p> <table border="1"> <tr> <td>Atty Docket Number:</td> <td>5760-01301 / VRTS 0066DIV</td> </tr> <tr> <td>First Named Inventor:</td> <td>Han F. van Rietschote</td> </tr> <tr> <td>Title:</td> <td>Storage Management System</td> </tr> </table>	Atty Docket Number:	5760-01301 / VRTS 0066DIV	First Named Inventor:	Han F. van Rietschote	Title:	Storage Management System
Atty Docket Number:	5760-01301 / VRTS 0066DIV						
First Named Inventor:	Han F. van Rietschote						
Title:	Storage Management System						

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b)

April 9, 2004

Date


Signature

Lawrence J. Merkel

Typed or printed name

41,191

Reg. No.

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.